

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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STEVE MICHAEL COX,
Plaintiff,

v.

GREGORY W. SMITH, *et al.*,
Defendants.

3:11-cv-00539-LRH-WGC

O R D E R

Before this Court is the Report and Recommendation of U.S. Magistrate Judge William G. Cobb (#90¹) entered on August 22, 2012, recommending granting Defendants' Motion for Vexatious Litigant Determination & Pre-Filing Restrictions (#41) and Defendants' Motion for Leave to File Exhibit D (#40). In addition it recommends that Plaintiff's motions at Docs. #53, #54, #77, #78, #80, #81, #82 and #88 be denied, and that Docs. #76, #79, #83, #84 and #89 be stricken. Plaintiff filed his Opposition to Magistrate Report and Recommendation #90 (#99), and also an Affidavit in Support of that Opposition (#102). Defendants did not file a response. This action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections and affidavit of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court determines that the

¹Refers to court's docket number.

1 Magistrate Judge's Report and Recommendation (#90) entered on August 22, 2012, should be adopted
2 and accepted.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#90)
4 entered on August 22, 2012, is adopted and accepted, and Defendants' Motion for Vexatious Litigant
5 Determination & Pre-Filing Restrictions (#41) is GRANTED as follows:

6 (1) Plaintiff is declared a vexatious litigant;

7 (2) If Plaintiff wishes to properly file a pleading, motion, or other document with the court, he
8 shall first provide a copy of that document to the Clerk along with a letter requesting that
9 the document be accepted for filing. If the court does not grant permission to file the
10 document, in writing, within thirty days of the date of the letter, permission will be deemed
11 denied. Plaintiff is permitted to oppose motions brought by Defendants without seeking
12 leave of court, but is cautioned that if his brief is determined to extend beyond the scope
13 of opposing Defendants' motion, it will be stricken;

14 (3) All of Plaintiff's submissions are required to be legible, intelligible, and submitted on a
15 single side of white paper with writing on one side of the page; and

16 (4) This order is limited to this action.

17 IT IS FURTHER ORDERED that Plaintiff's motions at Docs. #53, #54, #77, #78, #80, #81,
18 #82 and #88 are DENIED.

19 IT IS FURTHER ORDERED that Plaintiff's motions at Docs. #76, #79, #83, #84 and #89 are
20 STRICKEN.

21 IT IS SO ORDERED.

22 DATED this 7th day of November, 2012.



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24
25 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE